IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

MACA.No. 1282 of 2007(B)

OPMV.17/2003 of MOTOR ACCIDENTS CLAIMS TRIBUNAL, KOZHIKODE
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APPELLANT/PETITIONER IN OP(MV):

SHANEESH, AGED 17 YEARS,
D.O.B.28.12.1988, REPRESENTED BY HIS FATHER AND
LEGAL GUARDIAN SASIDHARAN, RESIDING AT
PILAKKATTU HOUSE, KUTTAMCHERI PARAMBU, MANNUR
POST, KOZHIKODE.

BY ADV. SRI.AVM.SALAHUDDEEN

RESPONDENTS/RESPONDENTS IN OP(MV):
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1. M.ABDUL KAREEM, S/O.MUHAMMED, AGED 32
YEARS, RESIDING AT PUTHIYAPURAYIL HOUSE,
KACHINAMTHODI, NALLALAM BAZAR POST, KOZHIKODE.

2. THE UNITED INDIA INSURANCE COMPANY
LIMITED, NO.171.E, RFS COMPLEX, NEHRUJI ROAD,
VALLUPURAM.

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

M.A.C.A.1282 OF 2007

Dated 25th July, 2007

JUDGMENT

Koshy,J.

Appellant/claimant met with a motor accident by which he sustained fracture of tibia and fibula of right leg. As per medical certificate, disability assessed by the doctor was 2%. Considering the facts that the appellant was aged only 14 and there was no shortening of leg etc. and also considering the tender age, Tribunal was of the opinion that there was no permanent disability. However, Rs.10,000/= was awarded for pain and suffering and Rs.2,250/= for loss of amenities etc. Medical bills were reimbursed and total compensation awarded was Rs.16,064/=. Considering the nature of injuries, age of the claimant etc. we are of the opinion that just and reasonable compensation was awarded.

The appeal is dismissed.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

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